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-- REMARKS --

The present amendment replies to a Final Office Action dated December 27, 2004. No new matter has been added with this amendment. Claims 5, 12 and 18 have been cancelled. Claims 1, 8 and 15 have been amended to include the limitations of claims 5, 12 and 18, respectively. Therefore no new matter has been added to claims 1, 8 and 15 and no new search need be performed.

Examiner Beaulieu rejected claims 1-21 under 35 U.S.C. § 102(e) as being anticipated by Dickerson, U.S. Patent 6,697,730, ("the Dickerson patent"). The Applicant has thoroughly considered the Examiner's remarks concerning the patentability of pending claims 1-21.

The Applicant respectfully asserts that the Dickerson patent fails to disclose each and every element of the Applicant's invention as claimed, as required to maintain a rejection under 35 U.S.C. §102(e). *See* MPEP 2131.

Regarding claims 1, 8 and 15 the Dickerson patent fails to disclose, teach, or suggest, at a minimum, the claim limitations of obtaining the positional information of the user's moving vehicle, storing the positional information as a route in a call center database and linking the user's stored route to the received user's carpool enrollment request to create a user profile. The Dickerson patent discloses a real time transit system where a passenger/user can request, via a wireless communication, that a vehicle, such as a bus or van, pick the user up within a certain time period and take them to a final destination. The Examiner cites to FIG. 9 of the Dickerson patent to teach the above limitations. The Examiner's allegations are misplaced. FIG. 9, as well as the entirety of the Dickerson patent, makes it clear that the user/passenger is separate from the vehicle. FIG. 9 illustrates that the user requesting the services of a vehicle is separate and distinct from the vehicle that responds to the request. This separation between the user and the vehicle makes it even more clear that the Dickerson patent does not teach "obtaining the positional information of the user's moving vehicle and storing it as a route in a call

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center" because the "user/passenger" does not have a vehicle available from which to obtain positional information. At most, the Dickerson patent teaches using GPS to determine the real time location of the vehicle sent to pick the passenger up (see col. 11 lines 42 to 65 and col. 14 lines 16 to 25). Furthermore, Dickerson does not teach or suggest storing GPS information as a "route in a call center database" for a passenger. Dickerson merely teaches having GPS as part of the communication device of the vehicle and using the GPS information for providing real time location information for a vehicle and providing this information to a user to let the user know how close the vehicle is to a pick-up location (see col. 11 lines 62 to 65).

Regarding claims 5, 12 and 18, these claims have been cancelled and the limitation added to their respective base claim. The Examiner alleges that the Dickerson patent "further teaches creating a user profile based upon a match as requested." The Examiner misstates the limitation as claimed by the Applicant. The Applicant claims "linking the user's stored route to the received user's carpool enrollment request to create a user profile" as recited in amended claims 1, 8 and 15. The Dickerson patent does not teach this limitation. The Examiner cites to col. 14 line 41 to col. 15 line 34 as teaching this limitation. However, neither this cited portion of the Dickerson patent nor the rest of the Dickerson patent teaches this limitation. At most, the Dickerson patent teaches matching a user requesting a trip with the user's profile to verify that the system has enough information on the user to fulfill the user's request for services. The Dickerson patent does not teach matching a user's carpool enrollment request with another request and sending that match to the user as claimed by the Applicant.

As each and every limitation of independent claims 1, 8 and 15 is not taught by the Dickerson patent claims 1, 8 and 15 cannot be anticipated by the Dickerson patent. Withdrawal of the rejection of independent claims 1, 8 and 15 under 35 U.S.C § 102(e) is respectfully requested.

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Claims 2-4, 6-7, 9-11, 13-14, 16-17 and 19-20, depend directly or indirectly from independent claims 1, 8 or 15. Therefore, dependent claims 2-4, 6-7, 9-11, 13-14, 16-17 and 19-20 include all of the elements and limitations of independent claims 1, 8 or 15. It is therefore respectfully submitted by the Applicant that dependent claims 2-4, 6-7, 9-11, 13-14, 16-17 and 19-20 are allowable over the Dickerson patent for at least the same reasons as set forth above with respect to independent claims 1, 8 and 15. Withdrawal of the rejection of dependent claims 2-4, 6-7, 9-11, 13-14, 16-17 and 19-20 under 35 U.S.C § 102(e) is requested.

Regarding claim 21, the Dickerson patent fails to disclose, teach, or suggest, at a minimum, the claim limitations of obtaining a positional information for a first user moving vehicle and associating the positional information of the first user moving vehicle with the first user carpool enrollment request as discussed above in relation to claims 1, 8 and 15. Withdrawal of the rejection of dependent claims 21 under 35 U.S.C § 102(e) is requested.

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SUMMARY

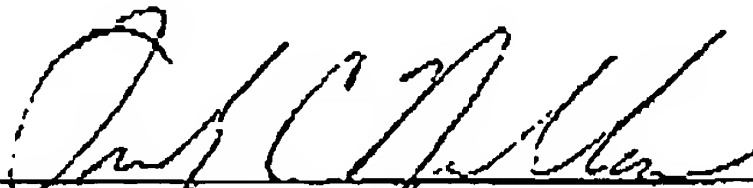
The Applicants respectfully submit that claims 1-4, 6-11, 13-17 and 19-21 fully satisfy the requirements of 35 U.S.C. § 102, 103 and 112 and are in a condition for allowance. In view of the foregoing remarks, favorable consideration and passage to issue of the present application are respectfully requested.

Dated: **February 28, 2005**

Respectfully submitted,
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